

## ABSTRACT

Kurniawan, Yan 05210085. 2011. "*Pertimbangan Hakim Terhadap Putusan Poligami*" (Studi Perkara No: 368/ Pdt.G/ 2009/ PA. Malang).  
Skripsi. Sharia Fakultas Syaria'ah. study of Al-Ahwal Al-Syakhshiyah.  
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**Key words** : Considerans, Jury, Consensus, and Poligamy.

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Poligamy is including alternative problem solving of marriage conflict nothing turning from aspect decency advantage prosperous. As like writing in the Consitution of Number 1 in 1974 of years are regulated prosedur of marriage and implications. As like in point four of the constitution: to mentions "*for some one want to propose licensed of polygamy in the court, then must to complet condition*" :

- a. Exist to agreement from wive or wives.

- b. Exist to certainty if the husband guarantee need living wives and sons.

- c. Exist to certainty if the husband guarantee behaviuor fair to wives and sons.

In my research ichose Qualitative approach and klasifikasi my research is Sociologis to identifiCATy law in institution law enforcement. I take the interview and documentation to content of files, and I used Methodeof. *Editing, Classifying, Analisyng, and last concluding*. I'm used dedudtive of paradigm with destination the reads apresiation in my write.

The reason to make basic from judgement Islamic court of Malang into grant propose polygamy by some one initial : "DA" beside of emergency condition. Direction of "DA" to polygamy there was to save the reputations and responsibility second wive (SH), from agreement and willingness from first wives and family.

The propose of polygamy decide from judge council Islamic Justisce of Malang with considered interest and emergency reasons. Where as from to reach decide fairlesjustisce, the judge to must considered three aspect sense of justisce, legal justisce, last social justisce. We wish Existjustisce in marriage problem as like Polygamy in Number Case :368/ Pdt.G/2009/PA Malang.